

### REMARKS

Claims 1, 13-15 and 49 are rejected under 35 U.S.C. 102(b) as being anticipated by Madsen (US4128825). Madsen does not disclose an actuator including a permanent magnet having a north pole and a second pole, and one of the poles is remote from both a frame and a magnetic coil when in both a first position and a second position. Madsen discloses a magnet 10 having ends 16 and 18 contained within a sphere 14 pivoted at an axis 12. Stops (not shown) prevent rotation of the sphere 14 in a clockwise direction past the Figures 1 and 2 positions. When the current in a coil 28 or 34 is reversed, the sphere 14 can rotate counter-clockwise so that the end 18 aligns with a pole 20 or pole 32. A further stop (not shown) prevents continued rotation of the magnet 10.

As shown in Figure 2, in one position the end 16 of the magnet 10 is near the pole 30, and in the other position the end 18 of the magnet 10 is near the pole 32. Thus, both ends 16 and 18 of the magnet 10 play a part in the operation of the device. Madsen does not disclose that one of the ends 16 and 18 of the magnet 10 is remote from both a frame and a magnetic coil when in both the first position and the second position as claimed. The claimed invention is not anticipated.

Claims 8, 16, 18, 26, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madsen. These claims depend on patentable independent claim 1 and are allowable for the reasons set forth above.

No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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